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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted in accordance with resolution 993 (1995) of 12 May 1995, by which the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for an additional period terminating on 12 January 1996. By the same resolution, the Council requested me "to report every three months from the date of adoption of [resolution 993 (1995)] on all aspects of the situation in Abkhazia, Republic of Georgia, including the operations of UNOMIG", and decided "to undertake, on the basis of these reports, further reviews of the situation". Pursuant to that resolution, I reported to the Council on all aspects of the situation in Abkhazia, Georgia, on 7 August (S/1995/657) and 8 November 1995 (S/1995/937). The present report provides a further update of the situation as of 20 December 1995 and contains my recommendations regarding the role of the United Nations after the expiry of the mandate of UNOMIG on 12 January 1996.

II. POLITICAL ASPECTS

2. The Georgian-Abkhaz peace process remains deadlocked. The Russian Federation, in its capacity as facilitator, has continued vigorous efforts, in close consultation with my Special Envoy and his resident Deputy, to bring the two sides in the conflict, the Georgian and the Abkhaz, closer to compromise solutions. The key issue in these consultations continues to be the future political status of Abkhazia.

3. My Special Envoy and his resident Deputy have maintained close contacts with the President of Georgia, Mr. Eduard Shevardnadze, with the Abkhaz leader, Mr. Vladislav Ardzinba, as well as with the heads of the Georgian and Abkhaz delegations in Moscow. They have also held consultations with prominent political personalities in the Government and the Parliament of the Russian Federation with the purpose of further strengthening the efforts aimed at overcoming current difficulties. Both sides in the conflict have expressed appreciation for the activities of the United Nations.

4. President Shevardnadze has stated that the present deadlock should not be allowed to continue and new initiatives are needed. He announced to his United Nations interlocutors his intention to raise the issue of the Abkhaz conflict again at the meeting of the Council of Heads of State of the Commonwealth of Independent States (CIS), to be convened on 19 January 1996. In particular, he wishes to see an enlargement of the mandate of the CIS peace-keeping force, which should also be deployed throughout the whole territory of Abkhazia and not only in the Gali district.

5. Mr. Ardzinba has stated that the only basis for a successful continuation of the talks is the declaration on measures for a political settlement of the Georgian/Abkhaz conflict and the quadripartite agreement on voluntary return of refugees and displaced persons signed in Moscow on 4 April 1994 (S/1994/397, annexes). In his view, a union agreement between Georgia and Abkhazia, in which both sides enjoy equal rights, would represent a guarantee against the renewal of hostilities.

Developments in the region

6. There have been a number of significant political and other developments in the region, which directly or indirectly affect the Georgian-Abkhaz peace process.

7. Presidential and parliamentary elections were held in Georgia in November 1995. According to international monitors, the elections were conducted without major infringements of the election law and constituted another step forward in the democratic evolution of Georgia. Mr. Shevardnadze was elected President of Georgia by an overwhelming majority of votes on 5 November, and a new Parliament was formed and held its first session on 25 November. Elections were not held in the districts of Abkhazia where the central Government of Georgia does not exercise de facto jurisdiction. In accordance with the election law, parliamentarians from Abkhazia in the Georgian Parliament had their mandates extended until such time as elections can be held in Abkhazia.

8. In his inaugural address of 26 November 1995, President Shevardnadze stated, inter alia, that his main strategic goal was the transformation of the old totalitarian social economic formation, "the old order", into a new social economic system, "the true establishment of democracy and freedom". He emphasized that his most important concerns were resolving ethno-political conflicts and restoring Georgian territorial integrity. He declared that Georgia should have a federal territorial arrangement and Abkhazia would be one of the parts of the federation, with a broad political status and its own Constitution compatible with that of the Federal State. The "Republic of Abkhazia" would have its parliament, supreme court, anthem, state emblem and other symbols. He further stated that the immediate return of the refugees and the definition of the status of Abkhazia must take place without delay and that the Georgian side stood ready to engage in dialogue at all levels, including bilateral negotiations. He also expressed his confidence that the United Nations and the Russian Federation would carry out "their missions in enforcing peace and stability in the region".

9. During the reporting period, the Governments of Georgia and the Russian Federation reached a number of agreements and measures of relevance to the conflict. These concern such matters as consular affairs, trade facilities, restoration of the railway line from Sochi to Tbilisi, Yerevan and Baku, as well as other matters.

III. HUMANITARIAN SITUATION

10. The humanitarian situation remains relatively unchanged since October 1995. The onset of winter is, as expected, creating electricity and water supply shortages. In order to cover the food needs during the winter months, the World Food Programme (WFP) assisted some 2,500 persons in the Kodori valley. In the health sector, the United Nations Children's Fund (UNICEF) initiated an emergency diphtheria control campaign in Abkhazia.

A. Situation of refugees and displaced persons

11. The situation of displaced persons has not changed significantly during the reporting period. The Office of the United Nations High Commissioner for Refugees (UNHCR) has reported that the volume of movements by displaced persons back and forth across the Inguri river has remained high. Following an incursion by Abkhaz militia in early November (see para. 24 below) to the lower security zone, several thousand persons fled across the Inguri river but returned soon afterwards. On the other hand, looting continues in the lower zone bordering the Gali canal, discouraging displaced persons to return to this area. The area north of the Gali canal, which is part of the returnee area under the Quadripartite agreement of 4 April 1994, has reportedly seen an increase in looting, beatings and torture.

12. As from 20 December 1995, UNHCR again has a presence in Gali and has resumed its monitoring in close cooperation with UNOMIG. UNHCR is also discussing with the population and authorities plans for rehabilitating a number of communal facilities in Gali and in other parts of Abkhazia.

B. Human rights

13. As part of my efforts to find ways of improving the observance of human rights in the region, my Special Envoy and his Deputy have taken the initiative to hold consultations with the Abkhaz authorities on a programme for the protection and promotion of human rights in Abkhazia. They have also met with the High Commissioner for Human Rights, Mr. Ayala Lasso, who welcomed the initiative and, in cooperation with the Organization for Security and Cooperation in Europe (OSCE), will elaborate a concrete programme that will subsequently be discussed with the Abkhaz authorities.

14. The programme is to be carried out by the United Nations in cooperation with OSCE and with the participation of UNHCR, as well as other agencies and organizations interested in contributing.

15. In principle, the Abkhaz authorities have shown interest in and support for the idea, but they would like to examine the concrete programme before giving their agreement to it.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

16. During the period covered by the present report, UNOMIG continued to fulfil the tasks mandated by the Security Council, operating in the security zone, the restricted weapons zone and in the Kodori valley. The Chief Military Observer of UNOMIG, Major General Per Källström (Sweden), during his first weeks in the Mission, held introductory meetings with Georgian officials, representatives of the Abkhaz authorities and the leadership of the CIS peace-keeping force and familiarized himself with UNOMIG and its area of operations. The Mission continues to maintain its full authorized strength of 136 military observers, drawn from 23 countries (see annex), and supported by 55 international and 75 local civilian staff.

17. As I reported on 8 November 1995 (see S/1995/937, para. 18), the deployment of UNOMIG on the ground was changed in order to provide more military observers in the security zone and to enable those elements of the military operations staff previously in Pitsunda to redeploy to Sukhumi. The redeployment was completed by 15 November 1995. The administrative headquarters remains at Pitsunda. The transfer of responsibility for the patrolling of the restricted weapons zone from Sukhumi to the Gali Sector has been completed and the observer strength of the Gali Sector has been increased from 41 to 54 to carry out the new patrolling tasks. The Zugdidi Sector continues to function at a strength of 38 military observers with the same area of responsibility (see attached map). The liaison office in Tbilisi continues to function with a strength of four military observers.

18. The concept of operations remains as previously reported, except for a change (see para. 19 below) in the operation of the team based in the Kodori valley. The five remaining team bases (three in the Gali Sector, at Inguri Ges, Otobaya and Zemo-Bargevi; and two in the Zugdidi Sector, at Dzvari and Darcheli) continue to provide a constant UNOMIG presence in areas of sensitivity in the prevailing situation and to enable UNOMIG to cooperate closely with the CIS peace-keeping force. Flexible operations continue with close coordination between the Gali and Zugdidi Sectors, which acquired particular significance during an Abkhaz militia operation in the Gali region in early November.

19. After an extensive review (see S/1995/937, para.31), UNOMIG decided, as it had last winter, to close the Kodori valley team base at Azhara temporarily, this year with effect from 4 December. UNOMIG has worked with the local administration and the CIS peace-keeping force in the valley to dispel any misunderstandings about the intention that United Nations military observers from Sukhumi will continue to patrol the valley on a daily basis, weather and road conditions permitting.

20. Since my report of 8 November 1995, there have been four additional incidents of restrictions on the freedom of movement of UNOMIG. Of these, three

took place in the Gali Sector, where UNOMIG patrols were stopped in the restricted weapons zone and asked for identification. On one occasion, the patrol was subsequently denied freedom of movement. The fourth incident occurred in connection with the redeployment of UNOMIG from the Kodori valley, when military and civilian personnel were prevented for several days from leaving the team base at Azhara (see para. 31 below). As mentioned in my report of 8 November 1995 (S/1995/937, para. 20), the pervasive lawlessness in the security and restricted weapons zones of Abkhazia has a negative effect on the ability of UNOMIG to meet its mandated tasks. This situation remains unchanged. UNOMIG is still discussing with the CIS peace-keeping force the possibility of conducting joint patrols north of the Gali canal.

21. Cooperation and communication with the Georgian Government and the Abkhaz authorities have remained at a satisfactory level. Georgia continues to place great emphasis on the repatriation of internally displaced persons and humanitarian issues, especially as winter approaches. The Abkhaz and Georgian sides have expressed concern over the continued criminality on both sides of the Inguri river and have indicated their willingness to cooperate in order to reduce the pervasive lawlessness in the area.

22. After a six-month hiatus, weekly quadripartite meetings at the main bridge over the Inguri river resumed in October. These meetings are chaired by the CIS peace-keeping force. The Chief Military Observer of UNOMIG, the Chief of Staff of the CIS peace-keeping force, representatives of the Gali and Zugdidi local administrations, as well as militia or police chiefs, regularly attend this forum, where issues related to general security, criminality and criminal investigations, hostage exchange and humanitarian issues are discussed.

23. UNOMIG has continued to cooperate with UNHCR. Cooperation with international and non-governmental organizations includes bi-weekly formal meetings, during which matters of mutual concern, including security, are discussed.

V. SITUATION ON THE GROUND

A. General

24. During the reporting period, the situation in the UNOMIG area of responsibility remained unsettled and tense. The period was marked, between 1 and 6 November, by an Abkhaz operation during which the Abkhaz authorities deployed 309 militiamen, 206 of whom were armed, into the Gali region, reportedly to enhance security in the period preceding the elections in Georgia. With the March 1995 militia operation still fresh in their memories, the majority of the local population, especially in the villages surrounding the Otobaya and Zemo-Bargevi team bases, fled east across the Inguri river. On this occasion, the CIS peace-keeping force attempted to exert as much control as possible by monitoring the operation closely and UNOMIG shifted the emphasis of its patrolling in the region to focus on observing the deployment of the militia. The operation ended after five days and the local population returned to the Gali region.

25. There were 23 violent incidents reported in UNOMIG's area of responsibility during the period covered by the present report, of which 21 occurred on the Abkhaz side of the Inguri river. These incidents were mainly robberies and kidnappings and in two cases involved torture. Seven people were killed and another seven injured by small-arms fire. UNOMIG is of the view that these incidents were carried out by members of the local population or the Abkhaz militia or by Abkhaz military personnel deployed along the Gali canal. On the Georgian side of the Inguri river, one incident involved the kidnapping of four Abkhaz women near Zugdidi; the other, small-arms fire directed at a CIS peace-keeping force checkpoint.

26. There were two mine casualties during the reporting period, one involving a CIS peace-keeping force soldier and the other an Abkhaz soldier in the Kodori valley. UNOMIG is working closely with the non-governmental organization Médecins sans Frontières in collecting information about the mine situation in its area of responsibility. The International Committee of the Red Cross (ICRC) continues to work on mine-clearing, using the services of a non-governmental organization.

27. The Moscow agreement of 14 May 1994 stipulates that "there [should] be no armed forces or heavy military equipment within the security zone". UNOMIG has taken this provision to mean that no member of the armed forces of either side, with or without a weapon and in or out of uniform, is authorized in the security zone and that presence of such a member in the zone would, therefore, constitute a violation of the Moscow agreement. This definition has allowed UNOMIG to enforce the agreement with a minimum level of ambiguity. During the reporting period, there were 11 incidents of individuals of the armed forces of both sides entering the security zone, purportedly for private reasons, and these incidents were deemed to be violations of the Moscow agreement. UNOMIG has protested these violations with both sides. In addition, UNOMIG observed on four occasions members of the Abkhaz militia armed with rocket-propelled grenade launchers in the security zone. These violations were associated with the Abkhaz militia operation in early November.

B. Security and restricted weapons zones

28. The new system of weapon permits introduced by the CIS peace-keeping force (see S/1995/937, para. 27), which enables local authorities to issue permits to members of the police or to the militia, is now in place on both the Georgian and the Abkhaz sides of the security zone. Although the system seems to be functioning, UNOMIG is concerned that it may not provide sufficient control over the issuance of weapon permits. UNOMIG will therefore continue to monitor the system carefully.

29. It will be recalled that, in the wake of difficulties encountered in gaining access to the two heavy-weapon storage sites at Senaki on the Georgian side and Ochamchira on the Abkhaz side, UNOMIG had sent letters of protest to the Minister of Defence of Georgia and to the Abkhaz authorities (see S/1995/937, para. 29). UNOMIG has now received a response from the Abkhaz side outlining the location and condition of all pieces of equipment, but not

specifically granting UNOMIG access to the storage site to verify the data. A response from the Georgian side is still awaited.

C. Kodori valley

30. The situation in the Kodori valley remained tense throughout the reporting period. There was an increase in the number of small-arms firings by Svanetians in the valley, which may be linked to the absence of a local Svan leader who was in Tbilisi from 17 October until 6 December 1995. There was no change in the disposition of the Abkhaz or Svan forces in the valley.

31. As reported in paragraph 20 above, an incident occurred in the valley at the end of November, when UNOMIG decided to close the team base at Azhara during the winter period. Local authorities had been informed about the decision before the closing date, but they appealed to UNOMIG to maintain its presence in the valley. These authorities also requested UNOMIG to assist in rescuing a group of people who had become stranded after a traffic accident. Over a period of five days, several UNOMIG military personnel (including at one point the Deputy Chief Military Observer, who had come to negotiate with the local authorities) were prevented from leaving the valley. However, at no point were UNOMIG personnel in danger and all finally left Azhara without further incident on 4 December. Patrolling of the Kodori valley will continue up to the last CIS peace-keeping force checkpoint. Coordinated joint patrolling with the CIS peace-keeping force further east is under consideration.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACE-KEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

32. Cooperation between UNOMIG and the CIS peace-keeping force continues to be satisfactory at all levels and regular meetings are held to discuss problems of mutual concern.

33. The exchange of information between UNOMIG and the CIS peace-keeping force, which had been an issue in the past (see S/1995/937, para. 33), has been timely and forthcoming. This was of particular importance during the Abkhaz militia operation in early November, when UNOMIG and the CIS peace-keeping force met several times each day to ensure that the situation did not escalate. Joint patrolling in the security zone continues.

VII. SOCIAL AND ECONOMIC ASPECTS

34. Emergency relief and humanitarian aid currently remain the principal focus of United Nations assistance and other donors' support to Georgia. The efforts of UNHCR and other relief agencies have been described above.

35. The World Bank assists Georgia in restoring macroeconomic stability, improving living standards, strengthening public institutions in the financial sector and enhancing economic management. The International Monetary Fund (IMF)

is providing technical assistance covering fiscal areas (tax and customs, treasury operations and fiscal management) and monetary fields (central banking) in support of the recently introduced national currency, the lari.

36. As for other United Nations specialized agencies, programmes continue as described in my previous report (S/1995/937, para. 35).

VIII. FINANCIAL ASPECTS

37. By its resolution 49/231 B of 12 July 1995, the General Assembly authorized me to enter into commitments for UNOMIG at a monthly rate not to exceed $1,334,500 gross for the period from 13 January to 30 June 1996. This authorization is subject to the decision of the Security Council to extend the mandate of the Mission.

38. Should the Security Council decide to extend the mandate of UNOMIG beyond 12 January 1996, as I recommend in paragraph 43 below, the monthly cost of maintaining the Mission until 30 June 1996 will be limited to the commitment authority contained in General Assembly resolution 49/231 B. I will report to the General Assembly on the additional requirements needed, if any, for the maintenance of the Mission beyond 30 June 1996.

39. As at 20 December 1995, unpaid assessed contributions to the UNOMIG Special Account amounted to $2.1 million and total unpaid assessed contributions for all peace-keeping operations as at that date amounted to $1.9 billion.

IX. OBSERVATIONS

40. Despite strenuous efforts in the past few months by the Russian Federation, in its capacity as facilitator, to draft a protocol acceptable to both parties to the conflict, there has been very little progress. The primary objective of the draft protocol has been to establish a basic understanding of principles on which a more detailed agreement could be elaborated. However, as I have explained in section II of the present report, matters remain at an impasse.

41. For the time being, the ingredients for a solution are not yet present and external factors are influencing the extent to which the two sides may be willing to make the necessary compromises. As I have stated in previous reports, in such circumstances, patience and persistence are required. The two sides continue to need outside assistance to help them to find a lasting solution to their dispute.

42. My Special Envoy and his resident Deputy will meet on 8 and 9 January 1996 with Deputy Foreign Minister Pastukhov of the Russian Federation and his colleagues. At that meeting, they will review the situation and consider in what ways it might be possible to move the political process forward. It should not be expected that this review will lead to an early breakthrough, but it will be another step in the continuing joint efforts of the United Nations and the Russian Federation to restore peace and stability in one part of a region of the

world which in recent years has already witnessed too much conflict and instability.

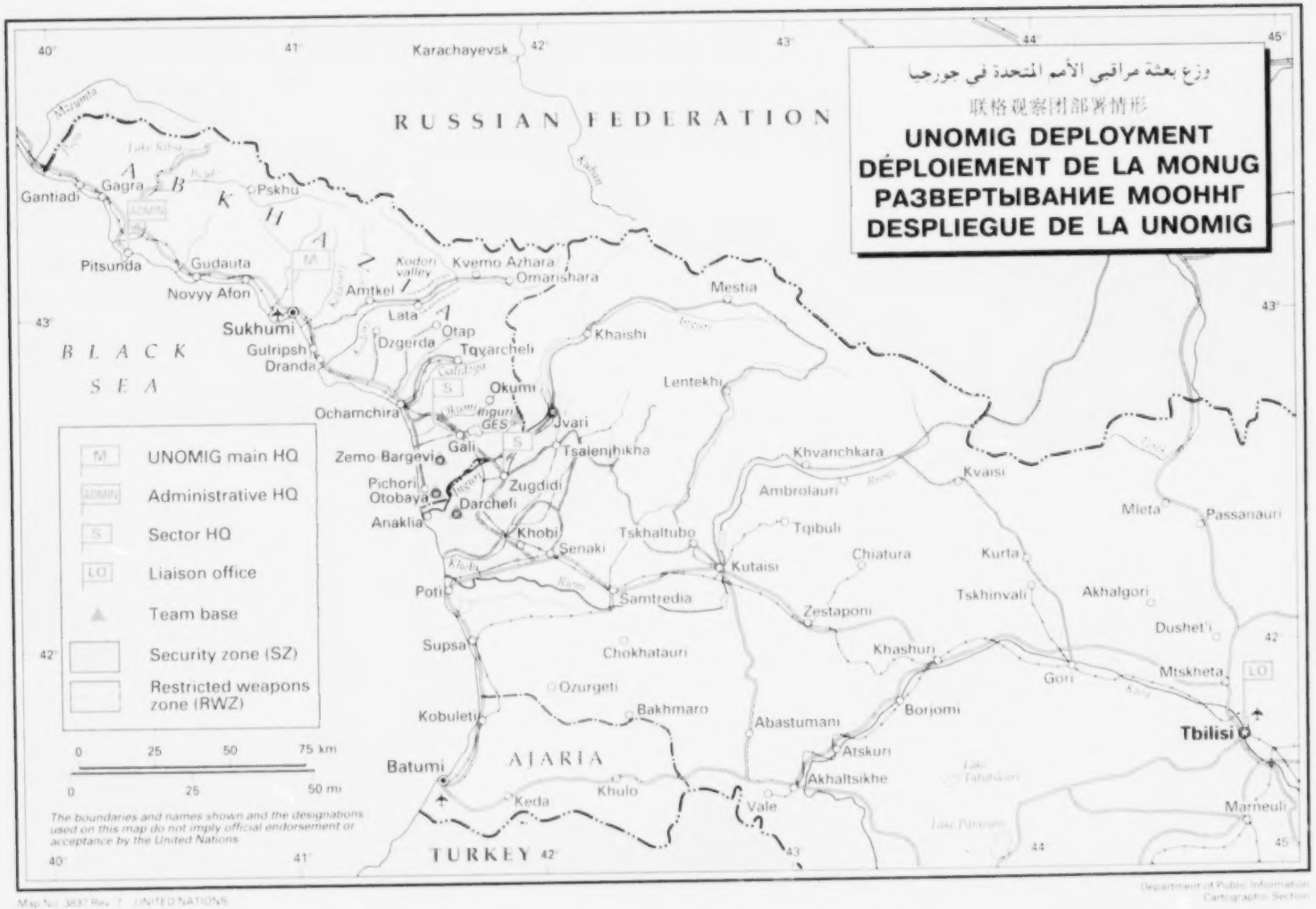
43. In the light of the situation outlined in the present report, I recommend to the Security Council that it extend the mandate of UNOMIG for a further period of six months, until 12 July 1996. However, bearing in mind that the situation in Abkhazia and the mandate of the CIS peace-keeping force will be considered at the meeting of the Council of Heads of State of CIS on 19 January 1996, I believe that it would be appropriate to make the extension of UNOMIG's mandate subject to early review by the Security Council should decisions be taken at that meeting that would change the mandate of the CIS peace-keeping force. I shall, of course, keep the Security Council informed of developments in this regard.

44. In conclusion, I should like to take this opportunity to thank my Special Envoy, Ambassador Edouard Brunner, his Deputy and the Head of Mission of UNOMIG, Mr. Liviu Bota, as well as all the military and civilian personnel under his command, for their dedication and perseverance in carrying out, under difficult conditions, the tasks entrusted to them by the Security Council.

Annex

Composition of the United Nations Observer Mission in Georgia
at 12 December 1995

Country	Military observers
Albania	1
Austria	4
Bangladesh	11
Cuba	4
Czech Republic	5
Denmark	5
Egypt	5
France	5
Germany	10
Greece	5
Hungary	7
Indonesia	6
Jordan	8
Pakistan	8
Poland	5
Republic of Korea	6
Russian Federation	3
Sweden	10
Switzerland	5
Turkey	5
United Kingdom of Great Britain and Northern Ireland	10
United States of America	4
Uruguay	4
Total	136



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